

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of New York

5-1-18 (2:35)  
I.L. # 2309

Aaron Rubenstein,

Plaintiff(s)

v.

Carlos Rodriguez, John R. Burch, Charles Keates,  
Heinz Wiezorek, Charlotte Wiezorek, Eva Wiezorek,  
Thomas Brunner, Gary Atwell, Susan Atwell, Larry  
Souza, Sharon Souza, Robert Rubin, Nancy Rubin,  
and Jennifer Coll, individually and as trustee for  
unknown beneficiaries  
Defendant(s)

Civil Action No. 17 Civ. 821 (JPO)

and Sears Holdings Corp., Nominal Defendant

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Carlos Rodriguez  
1581 Brickell Avenue Apt 1201  
Miami FL 33129

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Miriam Tauber  
MIRIAM TAUBER LAW  
885 Park Ave 2A  
New York NY 10075  
or by email to: MiriamTauberLaw@gmail.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 3/8/2018

/s/ P. Canales

Signature of Clerk or Deputy Clerk



**AFFIDAVIT OF SERVICE**

**UNITED STATES DISTRICT COURT  
Southern District of New York**

Index Number: 17 CIV. 821 (JPO)

Date Filed: \_\_\_\_\_

Plaintiff:

**AARON RUBENSTEIN,**

vs.

Defendant:

**CARLOS RODRIGUEZ, ET AL**

For:

Miriam Tauber  
MIRIAM TAUBER LAW  
885 PARK AVE, 2A  
NEW YORK, NY 10075

Received by LEGALEASE, INC. on the 1st day of May, 2018 at 10:00 am to be served on **CARLOS RODRIGUEZ, 1581 BRICKELL AVENUE, APT. 1201, MIAMI, FL 33129.**

I, Ivan Lopez, being duly sworn, depose and say that on the **1st day of May, 2018 at 12:35 pm, I:**

**INDIVIDUALLY/PERSONALLY** served by delivering a true copy of the **Summons and Second Amended Complaint for Recovery of Short Swing Profits Under 15 15 U.S.C. 78 P(B)** with the date and hour of service endorsed thereon by me, to: **CARLOS RODRIGUEZ** at the address of: **1581 BRICKELL AVENUE, APT. 1201, MIAMI, FL 33129**, and informed said person of the contents therein, in compliance with state statutes.

**Description of Person Served:** Age: 78, Sex: M, Race/Skin Color: White, Height: 5'7", Weight: 210, Hair: Gray, Glasses: N

Under Penalties of Perjury, I declare I have read the foregoing document and the facts stated in it are true. I certify that I am over the age of 18, have no interest in the above action, and am a Special Process Server, in good standing, in the judicial circuit in which the process was served.

Subscribed and Sworn to before me on the 1st  
day of May 2018 by the affiant who  
is personally known to me.

MHA  
NOTARY PUBLIC



Ivan Lopez  
CPS#2309

**LEGALEASE, INC.**  
205 East 42nd Street  
20th Floor  
New York, NY 10017  
(212) 393-9070

Our Job Serial Number: LTN-2018001002